

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

**JESUS MARTINEZ-RODRIGUEZ,**

**Plaintiff,**

**v.**

**Case No: 6:19-cv-1340-Orl-41GJK**

**COEI, LLC,**

**Defendant.**

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**ORDER**

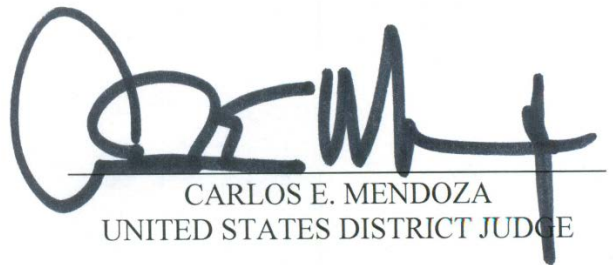
THIS CAUSE is before the Court on the Amended Joint Motion for Settlement Approval (“Motion,” Doc. 26). United States Magistrate Judge Thomas B. Smith issued a Report and Recommendation (“R&R,” Doc. 27) in which he recommends granting the Motion in part by approving the Revised Settlement Agreement (Doc. 26-1) but striking the provision of the agreement regarding the parties’ consent to personal jurisdiction in the Middle District of Florida. (Doc. 27 at 6). Judge Smith then recommends dismissing the case. (*Id.*). Both parties filed notices of no objection. (Doc. Nos. 28, 29).

After a *de novo* review of the record, this Court agrees with the analysis in the R&R with one exception. The Settlement Agreement contains a modification provision that is due to be stricken. (Doc. 26-1 at 4). Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 27) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Amended Joint Motion for Settlement Approval (Doc. 26) is **GRANTED in part**.

- a. The provision in the Revised Settlement Agreement that states that the parties consent to personal jurisdiction in the Middle District of Florida (Doc. 26-1 at 3) is **STRICKEN**.
  - b. To the extent that the modification provision of the Settlement Agreement permits the parties to modify the agreement without Court approval (Doc. 26-1 at 4), it is **STRICKEN**.
  - c. As modified herein, the parties' Revised Settlement Agreement (Doc. 26-1) is **APPROVED**.
  - d. The Motion is otherwise **DENIED**.
3. This case is **DISMISSED with prejudice**.
  4. The Clerk is directed to close this case.

**DONE** and **ORDERED** in Orlando, Florida on March 31, 2020.



CARLOS E. MENDOZA  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record